

1 Chief District Judge David G. Estudillo  
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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
10 AT TACOMA

11 DINESH MAHARJAN,

12 Plaintiff,

v.

13 UNITED STATES CITIZENSHIP AND  
14 IMMIGRATION SERVICES, *et al.*,

15 Defendants.

16 No. 3:23-cv-5000-DGE

17 STIPULATED MOTION TO HOLD  
18 CASE IN ABEYANCE AND ORDER

19 Noted for Consideration:  
20 February 22, 2023

21 Plaintiff Maharjan brings this litigation pursuant to the Administrative Procedure Act and  
22 the Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services  
23 (“USCIS”) to adjudicate his Form I-485, Application to Register Permanent Residence or Adjust  
24 Status. Defendants have not yet responded to the complaint. For good cause, the parties request  
25 that the case be held in abeyance until July 11, 2023.

26 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706  
27 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to  
control the disposition of the causes on its docket with economy of time and effort for itself, for

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.  
2 P. 1.

3 On February 17, 2023, USCIS issued a Notice of Intent to Revoke (“NOIR”) Mr.  
4 Maharjan’s prior Form I-140 (Petition for Alien Worker) approval. Mr. Maharjan has until May  
5 21, 2023 to respond to the NOIR. The adjudication of the Form I-485 is dependent on the outcome  
6 of the revocation process. USCIS will review Mr. Maharjan’s response to the NOIR, if any is  
7 submitted, and issue a revocation decision thereafter. As additional time is necessary for this to  
8 occur, the parties request that the Court hold the case in abeyance until July 11, 2023. The parties  
9 will submit a joint status report on or before July 11, 2023.

10 Dated: February 22, 2023

11 Respectfully submitted,

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13 NICHOLAS W. BROWN  
United States Attorney

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## ORDER

The case is held in abeyance until July 11, 2023. The parties shall submit a joint status report on or before July 11, 2023. It is so **ORDERED**.

DATED this 1st day of March, 2023.

  
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David G. Estudillo  
United States District Judge

David G. Estudillo  
United States District Judge